

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Douglas T. Grider

Docket No: TI-31118

Serial No: 09/967,044

Conf. No: 4815

Examiner: Julio J. Maldonado

Art Unit: 2823

Filed: 09/28/2001

For: METHOD FOR TRANSISTOR GATE DIELECTRIC LAYER WITH UNIFORM NITROGEN CONCENTRATION

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAILING CERTIFICATE UNDER 37 C.F.R. §1.8(a)

I hereby certify that the above correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 1-4-05.


Ann Trent

Sir:

Petitioner, Texas Instruments Incorporated, a Delaware Corporation having a place of business at 7839 Churchill Way, MS 3999, Dallas, Texas, 75251, is the owner of 100 percent interest in the instant application having Application No. 09/967,044 as shown by the Assignment recorded at Reel 012227, Frame 0737. Petitioner hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,503,846. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is

in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an agent of record.

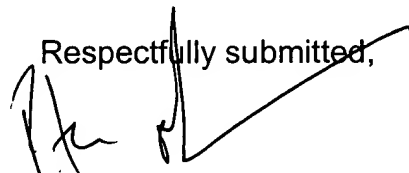
Terminal disclaimer fee under 37 CFR 1.20(d) is included.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 11/2/05

Texas Instruments Incorporated
P.O. Box 655474, MS 3999
Dallas, Texas 75265
Telephone: (972) 917-4258

Respectfully submitted,


Peter K. McLarty
Attorney for Applicant
Reg. No. 44,923